UNITED STATES DISTRICT COURT DISTRICT OF NEVADA RENO, NEVADA

JOHN F. SMITH,	3:08-CV-00144-ECR-RAM
Plaintiff,	MINUTES OF THE COURT
vs.	DATE: September 17, 2009
DR. ROBERT BANNISTER, et al.,	
Defendants.)	
)	
PRESENT: EDWARD C. REED, JR.	U. S. DISTRICT JUDGE
Deputy Clerk: COLLEEN LARSEN	Reporter: NONE APPEARING
Counsel for Plaintiff(s)	NONE APPEARING
Counsel for Defendant(s)	NONE APPEARING
Counsel for Defendant(s)	NONE APPEAKING

MINUTE ORDER IN CHAMBERS

On July 17, 2009, the Magistrate Judge filed a Report and Recommendation (#32) recommending that Plaintiff's Motion (#6) for emergency relief, and order restraining harassment and/or retaliation by the N.D.O.C. be denied.

Plaintiff filed an Objection (#36) to the Report and Recommendation (#32). The Objection (#36) lacks merit.

IT IS, THEREFORE, HEREBY ORDERED that the Report and Recommendation (#32) of the Magistrate Judge is APPROVED and ADOPTED.

IT IS FURTHER ORDERED that Plaintiff's Motion (#6) is DENIED.

IT IS FURTHER ORDERED that Plaintiff's First Amended Complaint (#42) is <u>STRICKEN</u>. In the circumstances of this case, Plaintiff may not file an amended complaint without making a motion to do so and receiving approval of the Court to file such amended complaint. Fed. R. Civ. P. 15(a)(2).

LANCE S. WILSON, CLERK
By /s/
Deputy Clerk